



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/693,355	10/20/2000	Pallavi Shah	843161-165	7938

7590

11/16/2004

B Noel Kivlin  
MEYERTONS HOOD KIVLIN KOWERT & GOETZEL PC  
P O Box 398  
Austin, TX 78767-0398

EXAMINER
----------

REFAJ, RAMSEY

ART UNIT	PAPER NUMBER
----------	--------------

2154

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/693,355

Applicant(s)

SHAH ET AL.

Examiner

Ramsey M Refai

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5 and 11.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-40 are presented for examination.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claim 11 recites the limitation "the full client graph" in line 2. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-7, 9-20, 22-33, 35-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Elderton et al (U.S. Patent No. 6,477,572).

6. As per claim 1, Elderton et al teaches a method comprising:  
obtaining one or more server actors (**ME, Figure 1 and Figures 9 and 10**) ;  
linking said server actors in a source hierarchical tree (**Figure 1 and Figure 9**);  
generating a client actor tree representation corresponding to a subset of said server actors (**column 1, lines 34-50**);  
sending said actor tree representation to said client (**column 2, lines 9-18**); and  
creating a member hierarchical tree in said client using said actor tree representation (**column 2, lines 9-39**).
7. As per claim 2, Elderton et al teach that each node in said source hierarchical tree comprises a source actor (**Figure 9**).
8. As per claim 3, Elderton et al teach that each node in said member hierarchical tree comprises a member actor (**column 2, lines 9-39**).
9. As per claim 4, Elderton et al teach that each of said member actor is complementary to a source actor (**column 2, lines 9-39 and Figure 9**).
10. As per claim 5, Elderton et al teach a method comprising:  
providing a communication interface between each member actor and its complementary source actor (**Figures 9-10 and column 8, lines 23-26**).
11. As per claim 6, Elderton et al teach that each said actor comprises a tree of hierarchically linked nodes, said nodes comprising one or more objects (**Figures 9-10 and column 1, lines 20-50**).

12. As per claim 7, Elderton et al teaches that nodes further comprise one or more nested actors (**column 1, lines 34-50 and Figure 9**).
13. As per claim 9, Elderton et al teach a client actor tree representation comprising:  
obtaining inclusion criteria from one or more parameter sets (**column 2, lines 9-12**);  
traversing said source hierarchical tree to determine nodes of said source hierarchical tree that comply with said inclusion criteria (**column 2, lines 12-15**);  
obtaining a pre-initialized object for each of said nodes that comply with said inclusion criteria (**column 2, lines 12-18**);  
generating a client graph comprising said pre-initialized objects (**column 2, lines 10-18**).
14. As per claim 10, Elderton et al teach said source hierarchical tree is on a node-by-node basis starting from the root node and proceeding through all the leaf nodes (**Figures 1 and 9**).
15. As per claim 11, Elderton et al teach a client actor tree representation comprises the full client graph (**Figure 9**).
16. As per claim 12, Elderton et al teach a client actor tree representation comprises a sub graph for updating existing actor tree of said client (**column 5, lines 9-25**).
17. As per claim 13, Elderton et al teach a pre-initialized object comprises methods and attributes for construction and initialization of said client graph (**abstract, column 6, lines 17-35, and column 7, lines 15-38**).
18. As per claims 14-20, 22-33, 35-40, these claims contain similar limitations as claims 1-7 and 9-13 above, therefore are rejected under the same rationale

***Claim Rejections - 35 USC § 103***

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 8, 21, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elderton et al (U.S. Patent No. 6,477,572) in view of Follendore, III (U.S. Patent No. 5,369,707).

21. As per claim 8, Elderton et al fail to teach the use of a secure communication network.

22. However, Follendore, III teaches the use of a secure network to ensure the security of messages communicated on a network (**abstract**). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Elderton et al and Follendore, III because Follendore, III's use of a secure network in Elderton et al's method would insure that the proper network tree representation is sent to a designated client and has not been altered and to also insure that such information is only viewed by the designated client.

23. As per claims 21 and 34, these claims contain similar limitations as claim 8 above, therefore are rejected under the same rationale.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Blumenau et al (U.S. Patent No. 6,665,714) ; Determining an Identity of a Network Device
- b. Cwikowski et al (U.S. Patent No. 5,325,527); Client/Server Communication System Utilizing a Self-Generating Nodal Network
- c. Griesmer (U.S. Patent No. 5,923,328); Displaying a Hierarchical Sub-tree by Selection of a User Interface Element in a Sub-tree Bar Control
- d. Agarwal et al (U.S. Patent No. 6,311,179); Generating Associations
- e. Brown et al (U.S. Patent No. 6,812,941); User Interface Management Through View Depth
- f. Heckerman et al (U.S. Patent No. 6,216,134); Visualization of Clusters and Classifications.

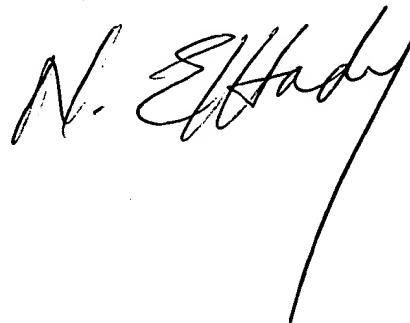
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey M Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramsey M Refai  
Examiner  
Art Unit 2154

RMR  
November 8, 2004

A handwritten signature in black ink, appearing to read "N. ElHady", with a long, sweeping vertical stroke extending downwards from the end of the signature.